

Application No. 10/540,239
October 16, 2007
Reply to the Office Action dated June 18, 2007
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REMARKS/ARGUMENTS

Claims 8-14 are pending in this application.

Claims 8-14 were rejected on the ground of nonstatutory double patenting over claim 5 of U.S. Patent No. 7,194,906.

In the accompanying Terminal Disclaimer, Applicant has disclaimed the terminal portion of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of commonly owned U.S. Patent No. 7,194,906. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 8-14 on the ground of nonstatutory double patenting over claim 5 of U.S. Patent No. 7,194,906.

In view of the foregoing remarks and the accompanying Terminal Disclaimer, Applicant respectfully submits that Claims 8-14 are allowable.

In view of the foregoing remarks and the accompanying Terminal Disclaimer, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

To the extent necessary, Applicant petitions the Commissioner for a One-Month Extension of Time, extending to October 18, 2007, the period for response to the Office Action dated June 18, 2007.

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The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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